

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2492 - SB 2495

March 13, 2022

SUMMARY OF BILL: Requires a defendant to receive a bail hearing to address any conditions of release with the assistance of counsel within 48 hours of arrest. Requires a person charged with a bailable offense to be released pending trial on the person's personal recognizance, or upon the execution of an unsecured appearance bond, unless the magistrate determines by clear and convincing evidence that more restrictive conditions are necessary to reasonably assure the appearance of the person, or ensure the safety of another person or the community. Requires bail to be set at the lowest amount necessary to reasonably assure the appearance of the defendant as required.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- This legislation may expedite the hearing process. However, any decrease in incarceration expenditures is assumed to be not significant.
- Requiring a bail hearing occur within 48 hours of arrest may strain the court clerks of some jurisdictions, but it is expected that the accelerated workload can be accommodated with existing personnel and resources.
- Based on information received by the Court Clerks Association, any fiscal impact to local courts is estimated to be not significant.
- It is assumed any impact to state courts can be absorbed within existing judicial resources.
- Any fiscal impact to state or local government is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner".

Krista Lee Carsner, Executive Director

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